

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Maria Elena Rodela	CHRB-005-0021A	P.O. Box 1, Tierra Amarilla NM 87575
Evaristo D. Velasquez	CHRB-007-0060	P.O. Box 315, Los Ojos NM 87520
Mary G. Velasquez	CHRB-007-0060	P.O. Box 315, Los Ojos NM 87520
Penelope A. Velasquez	CHRB-007-0060	P.O. Box 315, Los Ojos NM 87520
Salvadore G. Velasquez	CHRB-007-0060	P.O. Box 315, Los Ojos NM 87520
Matthew M. Gallegos	CHCV-003-0017	P.O. Box 323, Chama NM 87520

These waters belong to the public and are subject to appropriation in accordance with laws of

the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Section 7 of the Rio Chama Stream System.

Dated: September 21, 2006

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444 phone
(505) 867-2299 facsimile

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was transmitted by ACE filing to the following this 21 day of September 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville